

## ORDINANCE NO. 21-17

AN ORDINANCE PERTAINING TO HAULING REFUSE AMENDING SECTION 22-4-1-408, DIVISION 22-4-1, ARTICLE 22-4, CHAPTER 22, LAWTON CITY CODE 2015, BY REQUIRING ALL REFUSE BEING TRANSPORTED ON ANY ROADWAY WITHIN THE CITY OF LAWTON TO BE SECURED AND COVERED, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

***NOW, THEREFORE, BE IT ORDAINED*** by the Council of the City of Lawton, Oklahoma that:

Section 1. The Section 22-4-1-408 is hereby amended to read as follows:

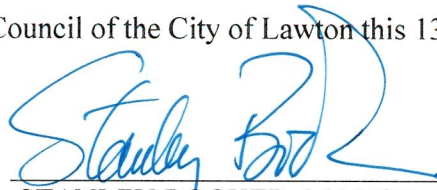
Section 22-4-1-408 – Hauling Refuse.

- ~~A. No person shall operate on any highway any vehicle with any load unless said load and any covering thereon is securely fastened so as to prevent said covering or load from becoming loose, detached or in any manner a hazard to other users of the highway. Any vehicle loaded with sand, cinders, or other loose material susceptible to blowing or otherwise escaping shall have such load covered so as to prevent the blowing or escaping of said load from the vehicle.~~
- A. No person shall operate on any roadway within the City of Lawton any vehicle with any load of refuse, as herein defined, unless said load is secured and covered so as to prevent the blowing, falling, leaking, or escaping of any portion of said load from the vehicle and becoming a hazard to other users of the roadway or a nuisance to the community. All loads of refuse transported to the landfill that are not properly secured and covered or are otherwise in violation of this section will be assessed additional charges at the rates provided in the fee schedule.
- B. All vehicles and receptacles so used shall at all times be subject to inspection by the health officer and city officials and, if in their judgment at any time any of same are defective or unfit for use, the health officer or other city official is authorized to prevent the use of the same until put in proper condition to comply with the terms of this article.

Section 2. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, said portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

Section 3. Effective Date. The provisions of this ordinance shall become effective ninety days after the date of the ordinance's passage.

**ADOPTED** and **APPROVED** by the Mayor and Council of the City of Lawton this 13<sup>th</sup> day of July, 2021.

  
STANLEY BOOKER, MAYOR

ATTEST:

  
TRACI L. HUSHBECK, CITY CLERK

APPROVED as to form and legality this 15<sup>th</sup> day of July, 2021.

  
JOHN RATLIFF, CITY ATTORNEY